

**Private**  
STAFF SUMMARY OF MEETING

OTHER COMMITTEE COMMITTEE ON INDEPENDENT CONGRESSIONAL REDISTRICTING COMMISSION

		Attendance	
		Jolie Brawner	X
		Martha	X
Date	04/28/2021	Coleman	X
		Moussa	X
Time	02:02:49 PM to 04:38:59 PM	Diawara	X
		Paula Espinoza	*
Place	SCR 354	Jason Kelly	X
		William Leone	*
This Meeting was called to order by	Carly Hare	JulieMarie	
		Shepherd	X
		Macklin	
This Report was prepared by	Elizabeth Burger	Danny Moore	X
		Lori Schell	X
		Simon Tafoya	X
		Elizabeth	X
		Wilkes	X
		Carly Hare	X

X = Present, E = Excused, A = Absent, \* = Present after roll call

Hearing Items	Action Taken
Approval of the Rules of Procedure	Rules and Procedures Adopted
Development of Questions for May 5 Presentation	Committee Discussion Only
Update on Calendaring and Memo	Committee Discussion Only

02:02:55 PM

Commissioner Hare reviewed the meeting agenda. Meeting materials can be accessed here: <https://coleg.box.com/s/u3k964k13re3auo8ghzqbgpmjwb1wt3x>. Commissioner Moore asked that discussion on draft plans be added to the agenda. Commissioner Tafoya asked that the agenda be reordered to prioritize discussion of timelines and necessary data.

## Approval of the Rules of Procedure - Rules and Procedures Adopted

02:06:56 PM Commissioner Tafoya reviewed the changes to the draft rules of procedure that were made after the April 26 commission meeting. Commissioner Tafoya discussed language in the draft rules regarding the drafting of three plans by staff. He discussed a potential motion as follows: In section 7.6, delete "the hearings on the preliminary plan" and replace it with "any hearings". Commissioner Moore seconded. Commissioner Kelly asked about language in the Constitution related to hearings on the preliminary plan, and Commissioner Tafoya commented.

02:19:23 PM Jessika Shipley, Independent Redistricting Commissions Staff, discussed the staff review of the draft rules and procedures document. The commission continued to discuss the motion regarding the preparation of staff plans subsequent to hearings. Commissioner Schell suggested deleting the language "subsequent to any hearings." She made the motion to amend Commissioner Tafoya's motion, and Commissioner Leone seconded the motion. The amended motion passed without objection.



02:20:21 PM Motion In section 7.6, delete "subsequent to the hearings on the preliminary plan".  
 Moved Lori Schell  
 Seconded

Jolie  
 Brawner  
 Martha  
 Coleman  
 Moussa  
 Diawara  
 Paula  
 Espinoza  
 Jason Kelly  
 William  
 Leone  
 JulieMarie  
 Shepherd  
 Macklin  
 Danny  
 Moore  
 Lori Schell  
 Simon  
 Tafoya  
 Elizabeth  
 Wilkes  
 Carly Hare

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

02:22:32 PM Commissioner Tafoya discussed a change to section 2.0, number 4, to language in a previous draft regarding the term "equivalent". Ms. Shipley commented. Commissioner Tafoya moved to strike the word equivalent.

02:22:40 PM Motion In section 2, number 4, strike "or equivalent"  
 Moved Simon Tafoya  
 Seconded

Jolie  
 Brawner  
 Martha  
 Coleman  
 Moussa  
 Diawara  
 Paula  
 Espinoza  
 Jason Kelly  
 William  
 Leone  
 JulieMarie  
 Shepherd  
 Macklin  
 Danny  
 Moore  
 Lori Schell  
 Simon  
 Tafoya  
 Elizabeth  
 Wilkes  
 Carly Hare

YES: 0 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: Pass Without Objection

02:24:33 PM Commissioner Tafoya moved that the commission adopt the rules and procedures as presented and amended. Commissioners Brawner and Coleman seconded.



02:25:30 PM Motion Adopt rules and procedures as presented and amended  
 Moved Simon Tafoya  
 Seconded

Jolie Yes  
 Brawner  
 Martha Yes  
 Coleman  
 Moussa Yes  
 Diawara  
 Paula Yes  
 Espinoza  
 Jason Kelly Yes  
 William Yes  
 Leone  
 JulieMarie  
 Shepherd Yes  
 Macklin  
 Danny Yes  
 Moore  
 Lori Schell Yes  
 Simon Yes  
 Tafoya  
 Elizabeth Yes  
 Wilkes  
 Carly Hare Yes

YES: 12 NO: 0 EXC: 0 ABS: 0 FINAL ACTION: PASS

## Development of Questions for May 5 Presentation - Committee Discussion Only

- 02:25:21 PM Chair Hare began discussion on upcoming presentations from the U.S. Census Bureau and State Demographer Elizabeth Garner. The commission discussed the questions they would like to the presenters to address, and Ms. Shipley shared questions provided by Commissioner Coleman. Commissioner Coleman reviewed her questions and the rationale for the questions she proposed.
- 02:35:42 PM Commissioner Shepherd Macklin asked that the U.S. Census Bureau presenters comment on how other states are handling the delay. Commissioner Coleman stated that the Map Analytics Subcommittee would be meeting tomorrow, and asked staff to collect the questions raised by commission members. so the subcommittee could review the questions. Commissioner Wilkes shared the information from U.S. Census Bureau and the State Demographer's presentations to the Legislative Redistricting Commission.
- 02:38:33 PM Commissioner Wilkes asked that the presenters define crosswalk data and how 2010 data will correspond to the crosswalk data. She further asked the presenters to comment on how differential privacy (DP) affects the moving of incarcerated persons. She discussed the issues raised by State Demographer Garner in a previous presentation about DP.
- 02:41:53 PM Julia Jackson, Independent Redistricting Commission Staff, noted that the U.S. Census Bureau recently updated the demonstration data for DP. Commissioner Tafoya asked about the availability of commercially available data and how it may be combined with American Community Survey (ACS) data. Commissioner Kelly asked about a comparison of commercially available data with older Census data.
- 02:47:42 PM Louis Pino, Independent Redistricting Commissions Staff, discussed the topics that the U.S. Census Bureau and State Demographer presentations will cover, including geographies, DP, and population change. Commissioner Tafoya asked a question regarding ACS data and whether combining certain census data with other data that the State Demographer's office collects and possibly other commercially available data would be more accurate.
- 02:50:07 PM Commissioner Moore asked staff if staff would be able to begin the mapping process today, and Mr. Pino responded, and explained that the apportionment number will allow the commission to determine the population size of each district. Commissioner Moore asked if there was enough available information to draw districts of equal population, and Ms. Shipley and Mr. Pino responded. Mr. Pino discussed the availability of county-level and municipality-level population data.
- 02:55:31 PM Commissioner Espinoza asked if there will be an overview by the presenters on the validity and reliability of data. Commissioner Schell asked if the presentation could be scheduled for a full three hours. Commissioner Tafoya asked what data would be available through the ESRI software, and Mr. Pino responded, noting that staff have been having discussions with ESRI about how to use preliminary data before the legacy census data is received.



- 03:00:11 PM Commissioner Coleman noted that the commission's immediate task should be to determine what data sets are available for use by the commission. She expressed her concern that too much time will be devoted to a discussion of DP. Commissioner Leone and Commissioner Moore concurred. Commissioner Leone asked that the presenters address the relative accuracy of data sources. The commission decided to delay discussion of the DP issue to a future meeting.
- 03:09:24 PM Commissioner Wilkes discussed the importance of continuing learning about DP. The commission discussed the presentations scheduled for May 5 and the issues that should be considered. Chair Hare discussed adding a future presentation from Elizabeth Garner to follow up on questions raised at the May 5 presentation.

## Update on Calendaring and Memo - Committee Discussion Only

- 03:18:43 PM Jerry Barry, Independent Redistricting Commissions Staff, gave an update regarding Senate Bill 21-247. He explained that the General Assembly's position is to not request changes to any of the Supreme Court constitutional deadlines and that the interrogatories will not ask the Supreme Court to waive their November 1 deadline. He discussed legal issues that may be raised if the Supreme Court misses its deadline.
- 03:27:54 PM Mr. Barry responded to questions from the committee, and explained the process of how interrogatories are put before the Supreme Court. He discussed the provisions of the bill related to the use of preliminary data to draw the staff plan, and the reallocation of incarcerated persons. Commissioner Leone and Mr. Barry discussed the redistricting timeline.
- 03:43:24 PM Commissioner Wilkes discussed the redistricting timeline proposed by the Map Analytics Subcommittee and commented on Commissioner Leone's suggestions regarding timeline. She noted that the subcommittee's proposed timeline includes time for comments on maps. Commissioner Kelly commented on the constitutional deadlines. Commissioner Moore asked that a draft congressional map be drawn, and gave instructions for the staff on how to draw the map. Mr. Barry clarified that commissioners may request staff to prepare draft maps during a public meeting.
- 04:00:20 PM Commissioner Schell noted that the Map Analytics Subcommittee put together the timeline as a best effort to get the timeline conversation started. She asked that Commissioners Leone, Tafoya, and Kelly put together a proposal to compare with the proposal suggested by the subcommittee. Chair Hare clarified Commissioner Moore's request that staff draw a map, and noted that the request did not represent the commission's preliminary plan. Mr. Pino clarified that the software is not yet available to create a map.
- 04:04:19 PM Commissioner Leone discussed Commissioner Moore's request for a map. Commissioner Moore encouraged the commission to move forward to consider how to draw maps. Commissioner Kelly continued to ask whether directing staff to prepare maps was permissible. Commissioner Tafoya noted his view that the commission needs to settle the issue of what constitutes necessary census data before maps are drawn.
- 04:09:37 PM Commissioner Coleman noted that some maps have been submitted through the public comment process and might provide an opportunity for the commission to begin discussion of maps. Chair Hare asked that the subgroup of Commissioners Tafoya, Leone, and others develop a proposed alternative timeline to compare with that recommended by the subcommittee. Commissioner Moore asked to participate in that discussion, and it was determined that the alternative timeline would be shared with the Map Analytics Subcommittee. Chair Hare commented on necessary census data, and the commission process for settling that issue.
- 04:15:46 PM Chair Hare noted that the May 3 commission meeting agenda would be focused on subcommittee reports and the May 5 meeting agenda would include the presentation from the U.S. Census Bureau and Elizabeth Garner, and that that meeting would be extended to 4:30 pm. Commissioner Shepherd Macklin commented that it will be a full two weeks before the commission can discuss necessary census data. Commissioner Wilkes asked if the Map Analytics Subcommittee could do a deep dive into possible data sources and bring a proposal to the commission.
- 04:18:15 PM Mr. Barry asked for clarification on Senate Bill 21-247, and whether the commission would like to take a position on the bill. Commissioner Schell made a motion that the commission determine whether to use other data to draw a preliminary map in advance of the receipt of the legacy census data. Commissioner Moore seconded. Commissioner Kelly noted that he was not prepared to make a decision on the issue until after the May 5 meeting. Commissioners Diawara and Leone further commented.
- 04:23:54 PM Commissioner Schell clarified her motion. Chair Hare commented on the education about data that is still needed. Commissioner Schell suggested that the motion be tabled until May 10, but asked that it be the first item on the agenda at that meeting.
- 04:30:22 PM Commissioner Schell withdrew the motion and Commissioner Moore withdrew his second, with the understanding that the motion would be made considered at the commission's May 10 meeting. Commissioner Tafoya asked if commission action on Commissioner Moore's request for a map was necessary.



04:34:21 PM Commissioner Tafoya asked if the report on data sources will be available on May 10. Commissioner Tafoya also asked about the timeline for electing a chair and vice-chair. The commission determined that nominations for the roles could be made on May 3, and votes on the nominations would be considered the following week. The commission discussed separating the votes for chair and vice-chair.

04:38:59 PM The committee adjourned.

